

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

REX WARNER,
Plaintiff,

v.

SIMS METAL MANAGEMENT LIMITED,
Defendant.

Case No. [13-cv-02190-JD](#)

ORDER OF DISMISSAL

The Court having been advised that the parties have agreed to a settlement of this cause, **IT IS HEREBY ORDERED** that this cause of action is dismissed **without** prejudice; provided, however that if any party hereto shall certify to this court, within sixty (60) days, with proof of service thereof, that the agreed consideration for said settlement has not been delivered over, the foregoing order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial.

If no certification is filed, after passage of sixty (60) days, the dismissal shall be **with** prejudice.

Dated: November 12, 2014



JAMES DONATO
United States District Judge